THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.25430 OF 2005

Date:30.11.2005

Between:

T. Hussain Ahmed

… Petitioner

AND

The District Educational Officer, Anantapur & another

… Respondents

ORDER:

The petitioner claims that he is the President of the Muslim Educational Association at Uravakonda. The Association had established a high school and the same was admitted to grant-in-aid. There are disputes between two factions in the Society. Writ petitions and writ appeals came to be filed by one against the other. The petitioner states that the general body of the Society, at its meeting held on 23.10.2005, elected the Executive Committee and passed the resolution to the effect that the resolutions dated 21st and 22nd August 2005 passed at the instance of one Silar Sarmas Vali, be cancelled. The petitioner claims that on the basis of the said resolution, he made a representation, dated 23.10.2005, to the District Educational Officer, Anantapur, the first respondent herein, with a request to ignore the proposal submitted by Silar Sarmas Vali. His grievance is that no action has been taken thereon.

Heard the learned counsel for the petitioner and the learned Government Pleader for School Education.

Basically, the District Educational Officer does not have any jurisdiction to resolve the internal disputes in an Educational Society. The only function assigned to him

under the A.P. Education Act, in this regard, is to verify the Correspondent of a school. It is in that context, that he has to examine whether the election or appointment of a Correspondent, for an aided institution, is proper. If there are any serious disputes, he has to require the parties concerned to approach a Court of Law and seek necessary declaration.

The question as to whether the proposals submitted by the said Silar Sarmas Vali or those submitted by the petitioner deserve to be accepted, can be examined by the first respondent in the said background. In case, there exists a scope for him to take any decision, he can do so, only after issuing notices to the affected parties.

For the foregoing reasons, the writ petition is disposed of, directing the first respondent to pass appropriate orders on the representation, dated 23.10.2005, made by the petitioner, within a period of two months from the date of receipt of a copy of this Order, duly issuing notices to the affected parties. There shall be no order as to costs.

30.11.2005

Note:

Issue CC in one week.

(BO)

kdl